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I

110TH CONGRESS  
2D SESSION

# H. R. 6129

To amend part B of title XVIII of the Social Security Act to extend for 7 months the Medicare physician payment rates.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2008

Mr. BURGESS (for himself, Mr. GOHMERT, Ms. GRANGER, Mr. NEUGEBAUER, Mr. CONAWAY, Mr. THORNBERRY, Mr. HENSARLING, Mr. SESSIONS, Mr. BRADY of Texas, Mr. MARCHANT, Mr. MCCAUL of Texas, Mr. LATOURETTE, Mr. SHIMKUS, Mr. KUHLMAN of New York, Mr. MURTHA, Mr. CUELLAR, Mr. GENE GREEN of Texas, Mr. DANIEL E. LUNGREN of California, and Mr. HASTINGS of Florida) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend part B of title XVIII of the Social Security Act to extend for 7 months the Medicare physician payment rates.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Assuring Access to  
5 Medicare Doctors Act of 2008".

1 SEC. 2. 7-MONTH EXTENSION OF MEDICARE PHYSICIAN  
2 PAYMENT RATES.

3 (a) IN GENERAL.—Section 1848(d) of the Social Se-  
4 curity Act (42 U.S.C. 1395w-4(d)) is amended—

5 (1) in paragraph (8)—

6 (A) in the heading, by striking “A PORTION  
7 OF”;

8 (B) in subparagraph (A), by striking  
9 “June 30, 2008” and inserting “December 31,  
10 2008”; and

11 (C) in subparagraph (B)—

12 (i) in the heading, by striking “THE  
13 REMAINING PORTION OF 2008 AND”; and

14 (ii) by striking “for the period begin-  
15 ning on July 1, 2008, and ending on De-  
16 cember 31, 2008, and”; and

17 (2) by adding at the end the following new  
18 paragraph:

19 “(9) UPDATE FOR A PORTION OF 2009.—

20 “(A) IN GENERAL.—Subject to paragraphs  
21 (7)(B) and (8)(B), in lieu of the update to the  
22 single conversion factor established in para-  
23 graph (1)(C) that would otherwise apply for  
24 2009, for the period beginning on January 1,  
25 2009, and ending on January 31, 2009, the up-

1 date to the single conversion factor shall be 0  
2 percent.

3 “(B) NO EFFECT ON COMPUTATION OF  
4 CONVERSION FACTOR FOR THE REMAINING  
5 PORTION OF 2009, 2010, AND SUBSEQUENT  
6 YEARS.—The conversion factor under this sub-  
7 section shall be computed under paragraph  
8 (1)(A) for the period beginning on February 1,  
9 2009, and ending on December 31, 2009, and  
10 for 2010 and subsequent years as if subpara-  
11 graph (A) had never applied.”.

12 (b) ADJUSTMENT TO PAQI FUND.—Section  
13 1848(l)(2) of such Act (42 U.S.C. 1395w-4(l)(2)) is  
14 amended—

15 (1) in subparagraph (A)(i)—

16 (A) in subclause (III), by striking  
17 “\$4,960,000,000” and inserting  
18 “\$1,660,000,000”; and

19 (B) by adding at the end the following new  
20 subclause:

21 “(IV) For expenditures during  
22 2014, an amount equal to  
23 \$1,185,000,000.”;

24 (2) in subparagraph (A)(ii), by adding at the  
25 end the following new subclause:

1                   “(IV) 2014.—The amount avail-  
2                   able for expenditures during 2014  
3                   shall only be available for an adjust-  
4                   ment to the update of the conversion  
5                   factor under subsection (d) for that  
6                   year.”; and

7                   (3) in subparagraph (B)—

8                   (A) in clause (ii), by striking “and” at the  
9                   end;

10                  (B) in clause (iii), by striking the period at  
11                  the end and inserting “; and”; and

12                  (C) by adding at the end the following new  
13                  clause:

14                         “(iv) 2014 for payment with respect  
15                         to physicians’ services furnished during  
16                         2014.”.

17                  (c) TRANSFER OF CERTAIN REMAINING FUNDS.—Of  
18                  the amounts appropriated under subsection (a) of section  
19                  1011 of the Medicare Prescription Drug, Improvement,  
20                  and Modernization Act of 2003 (Public Law 108–173),  
21                  any such amounts which have not otherwise been obligated  
22                  as of January 1, 2009, shall, as of such date, be trans-  
23                  ferred and deposited into the Federal Supplementary Med-

1 ical Insurance Trust Fund under section 1841 of the So-  
2 cial Security Act (42 U.S.C. 1395t).

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